

2.2 REFERENCE NO - 22/505535/FULL			
APPLICATION PROPOSAL Replacement of garden shed with a single storey garden room, including link to dwelling.			
ADDRESS Owens Court Cottage, Owens Court Lane Selling Kent ME13 9QN			
RECOMMENDATION Grant planning permission subject to conditions			
REASON FOR REFERRAL TO COMMITTEE Parish Council Objection			
WARD Boughton And Courtenay	PARISH/TOWN Selling	COUNCIL	APPLICANT Mr and Mrs M Homan AGENT Ian Barber & Associates LTD
DECISION DUE DATE 21/04/2023		PUBLICITY EXPIRY DATE 30/03/23	

Planning History

SW/96/0270 - Single storey conservatory at rear of property – (Not constructed).
Approved: 14.05.1996

SW/87/1012 - Adaptation of the existing accommodation and the erection of a living room – (Not constructed).
Approved: 24.09.1987

SW/78/0401 - Erection of a double garage – (Constructed)
Approved: 20.06.1978

SW/77/0970 – Side extension and detached garage – (Only side extension constructed)
Approved 31.10.1977

1.0 DESCRIPTION OF SITE

- 1.01 Owens Court Cottage is a detached dwelling located on a small rural lane with open countryside to the front. It is situated within the Kent Downs Area of Outstanding Natural Beauty (AONB) and positioned outside any Local Plan built up area boundary and is therefore in the countryside.
- 1.02 It is situated adjacent to a Grade II listed property known as Well House to the south east, which is set back from Owens Court Cottage and positioned at an angle where the front elevation of the listed property overlooks the rear amenity area of the application site. Well House has a large front garden which runs alongside the rear boundary of Owens Court Cottage and is separated by a brick wall of slightly differing heights.
- 1.03 Within the rear amenity area of Owens Court Cottage and positioned adjacent to the boundary wall is a brick built outbuilding.

2.0 PROPOSAL

- 2.01 This proposal is seeking planning permission to replace the existing outbuilding with a single storey extension which would be attached to the dwelling with a frameless glazed link.
- 2.02 The proposed extension would be positioned parallel to the rear boundary wall leaving a gap of approximately 1.05m at its widest point to the south east elevation and approximately 0.76m to the north west elevation. It will have a width measurement of approximately 5.16m and the side wall runs parallel with the boundary, resulting in the south east elevation being set further away from the boundary wall on the south east side than is currently the case with the brick outbuilding (although the front part of the garden building would be marginally closer to the boundary than the outbuilding). Due to the angled nature of the rear boundary the extension will be smaller in depth on the south east side measuring approximately 4.24m in total including the glazed link and on the north west side approximately 5.48m. The frameless glazed link will be set slightly back from each side elevation with a width of approximately 0.98m.
- 2.04 The proposed roof would be mono pitched in design, with the highest point being positioned adjacent to the rear wall of the Owens Court Cottage and the lowest point close to the common boundary. At its highest point it would measure approximately 3.77m and approximately 2.64m at its lowest. A green roof consisting of a sedum/moss type M-tray system is proposed. There will be an overhang on each side of approximately 40cm.
- 2.05 In terms of fenestration, two powder coated aluminium sliding glazed doors are proposed on the south east elevation and three sliding glazed doors are proposed on the north west elevation.
- 2.06 The walls will be faced with charred timber boarding to match those present on the existing dwelling.

3.0 PLANNING CONSTRAINTS

- 3.01 Area of Outstanding Natural Beauty KENT DOWNS
- 3.02 Adjacent to Grade II Listed Well House.

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 Development Plan: Bearing Fruits 2031: The Swale Borough Local Plan 2017 policies:

ST3 (The Swale Settlement Strategy)

CP4 (Requiring good design)

DM11 (Extensions to, and replacement of, dwellings in the rural area)

DM14 (General development criteria)

DM16 (Alterations and extensions)

DM24 (Conserving and enhancing valued landscapes)

DM32 (Development involving listed buildings)

- 4.02 The Council's Supplementary Planning Guidance (SPG): "Designing an Extension A Guide for Householders"

5.0 LOCAL REPRESENTATIONS

- 5.01 The immediate neighbour at Well House has objected to this application for the following summarised reasons;

- Measurements of the proposal have not been provided;
- The proposal appears to be twice the height of the boundary wall and visually intrusive from the neighbouring garden;
- The proposed roof could be more attractive, the roof of the existing outbuilding is more in keeping with the property;
- The external materials should be dark coloured to reduce visual impact and cladding should be laid horizontally, although welcome the charred finish of the cladding;
- The setting of the adjacent listed building and the AONB has not been properly considered;
- Have been denied the opportunity to properly express concerns regarding the proposal.

5.02 One other comment has been received from a neighbouring resident which states “*I support this application and have no objections.*”

5.03 Following submission of the application, correspondence was received from the Ward Member for Boughton and Courtenay, Cllr Valentine, requesting the application to be determined by the Planning Committee if the recommendation was to approve. Cllr Simmons also requested an update on the application and a date for when it would be reported to Planning Committee. Both Councillors were advised of the later amendments to the scheme and Cllr Valentine confirmed that if the Parish Council no longer objected to the proposal he would be happy to withdraw the request for the application to be determined by the Planning Committee.

6.0 CONSULTATIONS

6.01 Selling Parish Council when originally consulted objected to the proposal for the following summarised reasons:

- The plans shown are misleading - The photographs show the glass tunnel as having a flat roof, whereas the plans show a three-aspect roof.
- The proposal will substantially adversely affect the opportunity of the adjacent house-owner to enjoy the occupation and use of their listed building.
- The glass tunnel if illuminated would be very intrusive in the neighbours main bedroom;
- The proposal would be overbearing when using the patio area of the adjacent listed building;
- The curtilage and the setting of the adjacent listed building should be protected and any proposals should be sympathetic to its surroundings.

Upon receipt of amended drawings I re-consulted Selling Parish Council. They have maintained an objection as they believe that the revised plan will still be visually intrusive to the adjacent listed building and is out of character for the area. Concerns regarding the potential impact that light from the proposal would cause were also reiterated.

6.02 SBC Conservation Officer - When consulted on the originally submitted scheme raised no objection to the proposed glazed link although took the view that the proposed height of the garden room as well as the form of the roof would have a negative impact on the listed building and its setting.

Upon the receipt of amended drawings I reconsulted with the Conservation Officer who is of the view that their initial concerns have been addressed and that the impact upon the setting of the adjacent listed building would be neutral. Therefore no objection is raised subject to conditions related to detailed design aspects of the proposal.

- 6.03 SBC Tree Officer states that the proposed green roof system is acceptable and requests a condition relating to maintenance details.

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 All plans and documents to application 22/505535/FULL.

8.0 APPRAISAL

- 8.01 I believe that the main considerations in the determination of this application are as follows:

- The impact upon the character of the countryside and the setting of the AONB;
- The impact upon the setting of the adjacent listed building;
- The impact upon residential amenities;

Impact on the countryside / AONB / setting of the listed building

- 8.02 Policy DM11 of the Local Plan sets out that extensions to existing dwellings will be permitted where they are of an appropriate scale, mass, and appearance in relation to the location. Policy DM24 seeks to conserve and enhance the special qualities and distinctive character of the AONB and the aim of policy DM32 is to, amongst other matters, preserve the setting of listed buildings.
- 8.03 As detailed above the original cottage has previously been extended with a side extension and an attached garage. I also note that other larger extensions to the property have previously been granted planning permission although were not implemented. In this case, the proposed extension would be single storey and positioned to the rear of the property. Taking into consideration that the proposed extension will be replacing an existing outbuilding I consider that this will also assist in limiting any impact.
- 8.04 Furthermore, the proposed extension would not project beyond the existing side walls of the original house and would be marginally smaller in width than the existing outbuilding where it would be set back to sit in line with the existing dining room wall. It would also be significantly screened by the rear boundary wall particularly as the proposed eaves height has been reduced to a similar height as the existing outbuilding.
- 8.05 In terms of design, the proposed garden room would have a mono-pitched roof and has been amended during the course of the application to now incorporate a green roof. The lowest point of the roof would be at the boundary with Well House. I consider this design to be an improvement to the originally proposed flat roof membrane and believe the proposed roof would assist in softening the impact of the extension when viewed from the amenity area belonging to the adjacent grade II listed property, Well House. I am also of the view that this would give rise to biodiversity benefits. I note the Council's Tree Officer comments in respect of the appropriateness of the green roof system on the basis that it is relatively easy to establish and thereafter maintain. Whilst this element of the design, combined with the mono-pitched form of the roof would add more of a contemporary design edge and feel to the scheme, the existing dwelling already incorporates some more contemporary design elements, and as such I consider that the amended proposal would sit comfortably in its immediate context. The glazed link provides an appropriate transition between the form of the main dwelling and the contemporary design of the extension.

- 8.06 I note the concerns from the neighbour at Well House relating to the original design of the garden room. I agree with the Council's Conservation Officer concerning the initial roof design and the impact that this would have had on the setting of the adjacent listed property. As mentioned above the roof would now be mono pitched and sloped away from the brick boundary wall separating the two properties, resulting in a lower eaves height adjacent to the wall which would be approximately in line with the height of the existing outbuilding. The garden room will now be parallel to the rear boundary wall and also set further away on the south east side. The wall of the existing outbuilding adjacent to the boundary is currently rendered and painted pink and as such I consider the timber boarding matching the existing dwelling will be an improvement visually. The Council's Conservation Officer raises no objection to the amendments and considers them to satisfactorily address concerns about the visual impact of the proposed development on the setting of the adjacent grade II listed building, Well House.
- 8.07 Taking the above points into consideration I believe the proposed extension would sit comfortably upon the property, would not give rise to any significant harm to the rural character of the countryside, the AONB or to the setting of the adjacent Listed Building and complies with policies DM11, DM24 and DM32 of the adopted Local Plan.

Residential Amenity

- 8.08 Policy DM16 states that alterations and extensions to existing buildings will be required to protect residential amenity. I note the objections received from the neighbouring occupier and the Parish Council concerning the degree of light which will be emitted and the impact this would have on the occupier of Well House.
- 8.09 The proposed glazed link would be positioned further back than the proposed side wall of the extension as well as the side wall of the existing dining room which also has an existing window which faces towards the front elevation of Well House. There is a distance of approximately 23m between the front windows of Well House and the proposed side wall of the extension where the sliding doors will be positioned, and I note when visiting the site there is a high boundary wall, fence and hedge separating the two properties. Although there is a slightly unusual arrangement here where the proposed windows would face windows positioned on the front elevation of Well House, I note that the Council's SPG in respect of house extensions ordinarily requires a minimum separation distance of 21m, which this proposal would exceed. In addition to this, despite the glazing that is proposed, including the glazed link, I am of the view that the monopitch roof would prevent any direct light spill and that the amount of light which will be produced would be likely to be the equivalent to that of a normal residential dwelling using standard domestic lighting appliances. Therefore, taking all of the above into consideration I do not consider the proposal would result in significant harm in this regard.
- 8.10 The neighbouring occupier has also raised concern regarding the overbearing nature of the proposal. In respect of this, as set out above, the eaves of the extension roof would be approximately in line with the eaves of the existing outbuilding. Although it will then increase in height this will be as the roof slopes away from the amenity space of the neighbouring dwelling. It would be modest in scale and subservient to the main elevation of the dwelling immediately adjacent to it. On this basis I am of the view that the proposal will not be overbearing to any harmful degree.

Other Matters

- 8.11 Although most of the points raised by the objections to the proposal have been dealt with by virtue of the discussion above, of those that remain I comment as follows. Firstly, I am

of the view that the drawings provided with the application are clear and enable a proper assessment to be made. Secondly, the drawings are appropriately scaled and therefore measurements of the proposal can be accurately taken. Thirdly, the application has been advertised in accordance with the Council's statutory requirements.

9.0 CONCLUSION

9.01 Overall, as set out above, I believe that the proposal would not give rise to unacceptable harm to the character of the countryside, the AONB, the setting of the listed building or residential amenities. I therefore recommend planning permission is granted.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS to include

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby approved shall be carried out in accordance with approved drawings:

- 257/6/04 Rev A – Proposed Plans
- 257/6/05 Rev B – Proposed Elevations

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) No development beyond the construction of foundations shall take place until samples of the vertical timber cladding (in the relevant stain finish) facing bricks (for the brick plinth) and aluminium panels (for the fascia) to be used in the construction of the garden room extension have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

- (4) No development beyond the construction of foundations shall take place until a manufacturer/supplier colour brochure and technical data sheet showing details of the specific colour-coated aluminium sliding patio doors and of the frameless glazed link glazing panels to be used have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

- (5) No development beyond the construction of foundations shall take place until the following key construction details have been submitted to and subsequently approved in writing by the Local Planning Authority:

- (a) 1:5 vertical section showing the eaves detailing, including any guttering to be provided, and the junction with the inset green living roof form;

- (b) 1:5 vertical section showing the verge detailing, including the junction with the inset green living roof form;
- (c) 1:5 vertical and/or plan section showing the external reveal depth/detail to the glazing;
- (d) 1:5 vertical section showing the junction detailing between the wall and roof planes of the glazed link; and
- (e) 1:5 plan section of the junction detailing between the glazed link and the timber boarded walls to the garden room extension, and to the existing dwelling.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

- (6) The green living roof to be installed shall be the Wallbarn Modular Green Roof System (as detailed in the application submission). The green living roof shall be installed prior to first occupation of the extension and prior to such installation, details of future maintenance to include details of watering, weeding and replacement of failed stock shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the roof shall be maintained in accordance with the approved details.

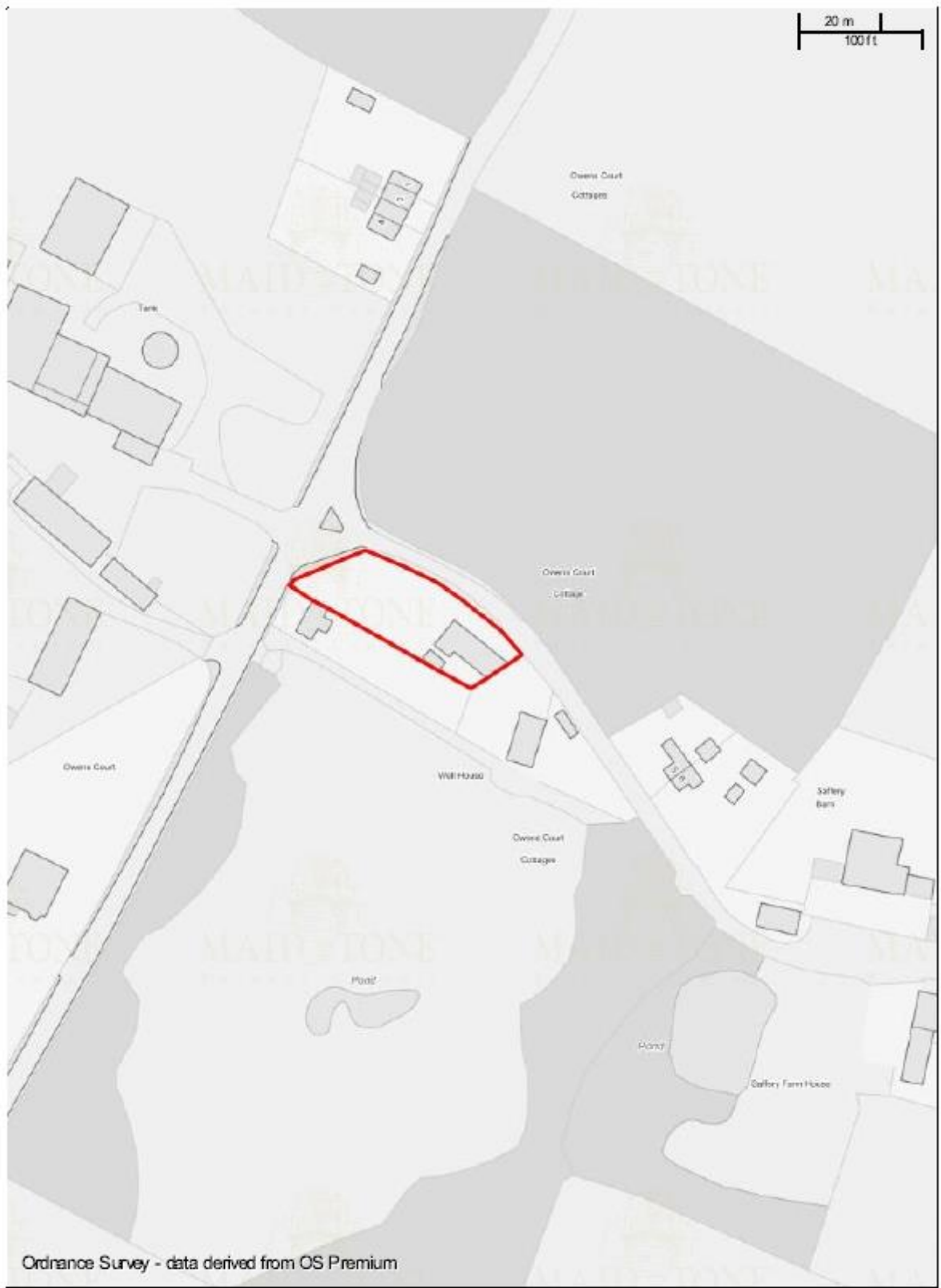
Reason: In the interests of visual amenity.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.



Ordnance Survey - data derived from OS Premium

22/505535/FULL - Owens Court Cottage, Owens Court Lane, Selling, Kent. ME13 9QN
Scale: 1:1250
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